

MAKING THE LANDING OBLIGATION WORK

Tackling Europe's Bycatch Crisis Through Fisheries Transparency

Briefing / September 2026



Why persistent, widespread discarding threatens EU fishing

Discarding, the throwing back of unwanted catches at sea, in European fisheries was estimated at around 1.7 million tonnes annually, equivalent to 23% of total catches before the 2013 reform of the Common Fisheries Policy (CFP).

Today, unreported discarding, including of juvenile fish, remains so widespread in EU waters that the European Commission deems it a significant risk for future EU fishing.

A lack of reliable information about what is caught and discarded means:

- fishing mortality is not fully accounted for;
- scientific assessments to inform management decisions are less reliable;
- fishing opportunities, including catch limits and fishing effort, are constrained;
- compliant fishers are placed at a competitive disadvantage;
- confidence in fisheries management is weakened.

What is driving this risk?

The European Commission, EU Member States and MEPs sought to address this problem with the Landing Obligation (LO) with the 2013 CFP reform. Their objectives were to improve catch information used in scientific assessment, encourage more selective fishing and reduce waste – and so support the sustainable management of fish populations. Fully in force since 2019, it restricts discarding of species subject to catch limits (and in the Mediterranean Sea, also to those subject to minimum conservation reference size), by requiring catches to be retained on board, recorded and landed, subject to exemptions. Over half a decade later, the European Commission's 2025 study supporting the evaluation of the LO, together with its 2026 evaluation of the CFP, found local improvements but no clear large-scale reduction in discarding. The supporting study identified several interconnected factors contributing to these shortcomings, including:

- “insufficient incentives for fishers to fully comply with the landing obligation”;
- “difficulties in monitoring and controlling compliance”;
- “limited uptake of measures to avoid unwanted catches”;
- “a lack of trust and buy-in from parts of the sector”.

These findings point to a broader challenge: implementation of the LO cannot be primarily about what happens after fish are caught. Its success also depends on decisions made earlier to prevent unwanted catches before they occur. These include decisions determining where and when vessels fish, what gear they use, what data is available to operators during fishing trips, and whether and how they are rewarded for avoiding unwanted catches.

How transparency can make the landing obligation work in practice

To deliver on the objectives of the LO, the European Commission and Member States, particularly the flag States, should act on the following three priorities:

- 1. Help fishers avoid unwanted catches, eliminate illegal discards and reduce “choke”¹ risks through better selectivity, data collection and transmission.**
- 2. Strengthen oversight at sea through cost-effective digital monitoring.**
- 3. Prevent control shopping and strengthen deterrence with transparency on enforcement and sanctions.**

These priorities are aligned with the principles of the Global Charter for Fisheries Transparency, which governments worldwide, including in the EU, have committed to apply.²

1. Help fishers avoid unwanted catches, eliminate illegal discards and reduce “choke” risks through better selectivity, data collection and transmission.

Avoidance is the most effective way to make the LO workable. Selective gears tailored to the relevant fishery, such as SELTRA box codends, square mesh panels and larger mesh sizes. Other gear innovations used in the EU, such as sorting grids, can significantly reduce catches of unwanted catches, such as bycatches of whiting by up to 87% and haddock and cod by over 90%.^{3,4}

Timely information can also make avoiding unwanted catches more effective. Real-time bycatch reporting systems, such as BATmap, collaborative sampling models such as reference fleets, catch-identification technologies and real-time temporary closures can help fishers adjust where, when and how they fish. Emerging AI-assisted tools such as Smartrawl, may also support more selective fishing, provided they are independently validated and deployed at an appropriate scale.

2. Strengthen oversight at sea through cost-effective digital monitoring.

However, uptake of these gears and technologies will remain limited unless fishers receive targeted public funding and verified selective practices that reduce unwanted catches are rewarded, such as by providing preferential access to eligible vessels.

Therefore, EU institutions and Member States are recommended to:

Enable fishers to avoid bycatch hotspots and adapt fishing behaviour during operations, while providing managers with timely information address emerging bycatch hotspots, discard and “choke” risks, including by;

- Developing and deploying interoperable catch-identification technologies capable of providing timely and accurate information on catch composition digitally;
- Supporting collaborative data collection on catches and discards between fishers, scientists and fisheries managers, such as via data-sharing applications such as BATmap in Scotland or the Norwegian Reference Fleet while establishing clear rules on data quality, confidentiality, access and use;
- Expanding the use of real-time closures (RTCs) or mandate catch monitoring technology where high concentrations of juvenile or “choke” species are detected;
- Increasing investment in and uptake of proven selective fishing gears and practices, including fishery-specific mesh-size changes and sorting grids, as well as supporting AI-assisted technologies that reduce unwanted catches before they occur;
- Incentivising and rewarding verified selective fishing practices through preferential access to fishing opportunities, while ensuring allocation decisions are transparent and regularly reviewed to deliver the intended environmental outcomes.

EU Member States are bound to ensure adequate means for effective oversight of the rules of the CFP, including the LO. Traditional control tools, including at-sea inspections, observers, logbook checks and landing controls, remain necessary but observe only a fraction of fishing activity. These are unlikely to detect and deter illegal discarding at scale.

Remote Electronic Monitoring (REM), including cameras, position data and gear sensors, can provide a solution. Experience from Denmark and Scotland shows that digital monitoring can improve discard reporting, strengthen quota management and support more credible implementation, while reducing costs and time associated with traditional inspections – even as fishers gain data from footage to avoid bycatch or “choke” risks.

From January 2028, EU vessels that pose a high risk of non-compliance with the LO must carry REM, including cameras. Drones can support targeted surveillance, especially in coastal areas, but can only complement, not replace, onboard monitoring. Given Member States obligations and the limits of drones traditional control tools and the EU’s REM mandate, which only covers some 18 meter vessels (6.7 % of the EU fleet in 2023), further roll out of REM at national level on a voluntary or risk-based basis should also be considered at national level.

Therefore, EU institutions and Member States are recommended to:

- Prioritise the timely adoption of implementing rules identifying the fleet segments of 18 meters and above presenting a “high risk” of non-compliance with the LO, including bottom trawlers, to ensure that covered vessels have functioning REM systems by January 2028;
- Develop clear national REM implementation plans setting out what vessels are covered, including the timetable for procurement, installation and testing, and training for fishers, safeguards for data and crew privacy, and public support for transition costs;

- Establish evidence-based national targets for expanding voluntary or risk-based REM beyond the vessels covered by the EU mandate;
- Consider complementary tools, such as drones and other surveillance technologies to cost-effectively monitor LO compliance, particularly in coastal areas.

3. Prevent control shopping and strengthen deterrence with transparency on enforcement and sanctions.

The LO will not be credible unless non-compliance is detected, sanctioned and the control effort is publicly accounted for. If accountability remains opaque or inconsistent, responsible operators are placed at a disadvantage and unscrupulous ones may engage in “control shopping”, targeting European waters where control is weakest.

Co-legislators sought to address this gap with the revised Fisheries Control Regulation, in part by improving public access to data about the control and enforcement. This kind of transparency, if delivered, will be essential to improve public scrutiny and trust in the fishing sector that there is equal treatment when it comes to respecting the CFP rules, including the LO.

Therefore, EU institutions and Member States are recommended to:

- Publish annually, by 30 June each year, comparable annual information on the implementation and enforcement of the LO in line with the revised Fisheries Control Regulation and implementing acts;
- Systematically publish final decisions in significant cases of non-compliance with the LO, including vessel names where lawful and proportionate. Published information should clearly identify the procedural status of the case, the evidence, legal basis, sanction and reasoning, and should be updated following an appeal;
- Improve cross-border exchange of vessels data on fisheries subsidies. Before awarding or maintaining public support, authorities should assess relevant final infringements under the applicable EU, national and WTO rules. Grants should be suspended, recovered or withdrawn where the relevant legal conditions are met.

You can find more information by viewing the full report: Environmental Justice Foundation, and Oceana. (2026). *Making the Landing Obligation Work: Tackling Europe's waste crisis at sea through fisheries transparency*. pp 31. <https://ejfoundation.org/reports/making-the-landing-obligation-work>.

1 A forced stop to fishing operations by exhausting quota of non-target species even where quota for their target species remains.

2 The Mombasa Declaration, (2026). Advancing Fisheries Transparency to Combat Illegal, Unreported and Unregulated Fishing, <https://mombasadeclaration.org/>.

3 Scientific Technical and Economic Committee for Fisheries, (2018). Technical Measures – Improving selectivity to reduce the

risk of choke species (STECF-18-02). Publications Office of the European Union, Luxembourg, 2018, ISBN 978-92-79-79382-0, doi:10.2760/41580, JRC111821.

4 Ferragut-Perello, F., et. al., (2023). Effects of the implementation of T90 extension and 52 mm square mesh codend on the bottom trawl hake fishery of the north western Mediterranean. *Front. Mar. Sci.* 10:1035448.

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